

REMARKS

The foregoing amendments and the following remarks are in response to the Office Action dated December 11, 2009, along with a Request for a Two Month Extension of Time. Authorization is given to charge the fees for a Two Month Extension of Time, and to charge any necessary fees or credit any overpayments to Deposit Account No. 50-0951.

At the time of the Office Action, claims 8-13, 15 and 16 were pending. In the Office Action, all claims were rejected under 35 U.S.C. §103. The rejections and responses thereto are set forth below.

I. Claim Rejections Under 35 U.S.C. §§ 103 (a)

In the Office Action, all claims were rejected under 35 U.S.C. §103(a), as being unpatentable over European Patent Application No. EP0618022 (“EP0618022”) and European Patent Application No. EP0995537 (“EP0995537”), and U.S. Patent No. 5,480,062 to Rogers, et al. (“Rogers”).

A. Review of Amendments to the Claims

Prior to addressing the rejections, a brief review of the claims, as amended herein, is appropriate. Independent claim 8, as amended herein, is directed to a storage and distribution device and recites, among other things, “a storage cartridge body having receiving zones for receiving parts storage cartridges with an identification label, wherein the parts storage cartridges are interchangeable in different receiving zones. Likewise, claim 15 has been amended to recite “wherein the storage cartridges are interchangeable in different zones.” Support for these amendments can be found at least at, for example, paragraphs [00026] of the specification.

B. Comparison to the Cited References

Applicants respectfully assert that the EP0618022, EP0995537, and Rogers fail to disclose, suggest, or render obvious all of the structures, and its arrangement, recited in the current claims. For instance, EP0618022, EP0995537, and Rogers fail to disclose, suggest,

or render obvious “at least one mobile distribution head coupled to the body, the mobile distribution head having an identification label reading head” as set forth in claims 8 and 15.

The Office Action acknowledges that “EP '022 in view of EP '537 does not appear to specifically disclose the parts storage cartridge as having an identification label or a mobile distribution head with an identification label reading head.” Office Action, p. 3. Nevertheless, the Office Action asserts that Rogers discloses a “mobile distribution head having an identification label reading head.” Office Action, p. 3.

In contrast to those assertions, Rogers does not disclose a “*mobile* distribution head having an identification label reading head.” The lower code reader 728 (see Figure 7) is not movable. Figure 7 clearly shows code reader 728 as not movable. There is no need for it to be movable since Figure 7 discloses code reader 728 placed in a fixed position next to a rotating carousel. Accordingly, Rogers does not disclose, suggest, or render obvious a “mobile distribution head having an identification label reading head.” In fact, the use of rotating carousel in Rogers teaches against the need for a “mobile distribution head having an identification label reading head.” Additionally, Rogers is directed to a vacuum operated medicine dispenser, which is non-analogous art.

Further, EP0618022, EP0995537, and Rogers fail to disclose, suggest, or render obvious that the storage cartridges are interchangeable in different receiving zones. Such a device with storage cartridges that are interchangeable in different receiving zones allows storage cartridges to be placed anywhere instead of only predetermined configurations as required by EP0618022 and EP0995537.

EP0618022 and EP0995537 disclose fixed, non-interchangeable tubes. For instance, EP0618022 discloses fixed, non-interchangeable tubes 29. EP0995537 discloses fixed, non-interchangeable tubes 26, 30. Thus, in EP0618022 and EP0995537, the storage means in front of which the distribution head moves are not interchangeable. Without being interchangeable, there is no need to identify these storage means and no need to have a reading head associated with the distribution head. Consequently, there is no need to one having ordinary skill in the art seeking an identification technical solution because these two cited references do not pose the technical problem solved by the current application.

For at least these reasons, independent claims 8 and 15 are believed to be patentable. The dependent claims are also believed to be patentable due to their dependence on an allowable base claim and for further features recited therein.

II. Conclusion

For at least the reasons set forth above all claims are believed to be allowable. Issuance of a notice of allowance is respectfully requested. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance.

Respectfully submitted,

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